

IN THE UNITED STATES FEDERAL DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

OSCAR MARTINEZ-RAMIREZ  
Defendants.

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CR. NO. 1:06mj70-DRB

**MOTION TO CONTINUE**

COMES, James R. Cooper, Jr. who moves that this Court continue the trial of Mr. Martinez from the October 24<sup>th</sup> trial term and states in support thereof as follows:

1. Mr. Cooper and his wife Lesley have previously made long standing plans to take a vacation to Italy beginning October 14 and returning to the States October 30, 2006.
2. Mr. Cooper has pre-paid their airline tickets.
3. Mr. Cooper has pre-paid their accommodations in Italy.
4. Mr. Cooper desires to continue his long standing marriage.
5. The defendant will waive his right of Speedy Trial. It is our understanding that the next available trial term would be January 8, 2007. Mr. Cooper has no conflicts during that week.
6. Mr. Cooper has spoken to the United States Attorney who is prosecuting this case. She does not oppose this Motion.
7. A continuance would not impede the orderly process of justice.

RESPECTFULLY SUBMITTED,

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s/James R. Cooper, Jr. (COO021)

COOPER & COOPER  
Attorney for Defendant  
312 Scott Street  
Montgomery, AL 36104  
(334) 262-4887

**CERTIFICATE OF SERVICE**

I hereby certify that on this the 30th day of August , 2006, I have served a copy of the foregoing **Motion to Continue** upon Ms A. Clark Morris , Asst. U.S. Attorney, P.O. Box 197, Montgomery, Alabama 36101 and by electronic case filing, by placing a copy of same in the United States Mail properly addressed and postage prepaid.

cc:

Mr. Oscar Martinez-Ramirez  
Montgomery City Jail  
P. O. Drawer 159  
Montgomery, Al 36105